

Application No. 10/604,297
Technology Center 3731
Amendment dated June 5, 2007
Submission Accompanying RCE under 37 CFR §1.114

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

Claim 1 (Currently amended): A surgical device having a sheath with an interior passage, legs within and projecting ~~that project~~ from the passage of the sheath, and actuating means within and projecting from the passage for deploying the legs from the sheath and for retracting the legs into the sheath, the legs moving outwardly away from each other when deployed from the sheath by the actuating means to establish a deployed position, the legs moving inwardly toward each other when retracted into the sheath by the actuating means, each of the legs having a transverse cross-sectional shape defined by a radially-inward first surface that is concave and an oppositely-disposed radially-outward second surface that is convex and radially spaced from the first surface;

wherein the legs are capable of being retracted into the sheath with the actuating means to define a stowed position in which the legs are

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substantially parallel to each other and define a tubular shape having a circular opening defined by the first surfaces of the legs and a circular exterior cross-section defined by the second surfaces of the legs;

wherein a portion of the actuating means is accommodated within the circular opening defined by the legs when in the stowed position within the sheath; and

wherein the legs have adjacent distal ends and the actuating means has a distal portion that are connected together so that in the deployed position the legs define a basket surrounding the distal portion of the actuating means ~~in the deployed position~~ and the basket collapses around the distal portion of the actuating means as the legs are retracted into the sheath by the actuating means so as to define a grasping position in which the legs are operable to perform a grasping operation.

Claim 2 (Original): The surgical device according to claim 1, wherein as a result of their cross-sectional shape, the legs automatically move radially outward and away from each other when deployed outside the sheath with the actuating means without the assistance of a second component to engage and force the legs away from each other.

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Claim 3 (Canceled)

Claim 4 (Previously presented): The surgical device according to claim 1, wherein the legs have a longitudinal shape so that the basket is helical in shape.

Claim 5 (Previously presented): The surgical device according to claim 1, wherein each of the first and second surfaces of the legs has a constant radius of curvature, and the thickness of each of the legs in the directions of radials of the curvatures is substantially constant.

Claim 6 (Previously presented): The surgical device according to claim 5, wherein the transverse cross-sectional shape of each leg is further defined by lateral surfaces oppositely disposed from each other, at least a portion of each of the lateral surfaces being flat and lying in one of the radials of the curvatures of the first and second surfaces.

Claim 7 (Previously presented): The surgical device according to claim 1, wherein the transverse cross-sectional shape of each leg is further

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defined by lateral surfaces oppositely disposed from each other, at least a portion of each of the lateral surfaces being flat and lying in a radial of at least one of the first and second surfaces.

Claim 8 (Currently amended): The surgical device according to claim 1, wherein the device has two of the legs. ~~legs and the first surfaces of the two legs face each other.~~

Claim 9 (Currently amended): The surgical device according to claim 1, wherein the device has more than two of the legs. ~~legs and the first surfaces of the legs face each other.~~

Claim 10 (Original): The surgical device according to claim 1, wherein the device is a surgical instrument chosen from the group consisting of urological, gynecological, cardiological, laparoscopic and gastro-intestinal instruments.

Claim 11 (Currently amended): A surgical extraction device having a sheath with an interior passage, at least three legs within and projecting ~~that~~

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~~project~~ from the passage of the sheath, and actuating means comprising a cable within and projecting from the passage for deploying the legs from the sheath and for retracting the legs into the sheath, each of the legs comprising:

a transverse cross-sectional shape defined by a radially-inward concave surface, a radially-outward convex surface radially spaced ~~oppositely disposed~~ from the concave surface, and lateral surfaces oppositely disposed from each other, each of the concave and convex surfaces having a constant radius of curvature, and the thickness of each of the legs in the directions of radials of the curvatures being substantially constant; and

a distal end;

wherein the concave surfaces of the legs face each other, the distal ends of the legs and a distal portion of the cable are connected together, the legs move outwardly away from each other when deployed from the sheath by the actuating means to establish a deployed position in which the legs define an expanded basket surrounding the distal portion of the cable, and the legs are forced to move inwardly toward each other when retracted into the sheath by the actuating means to establish a grasping position in which the legs define a collapsed basket around the distal portion of the cable and cooperate to perform a grasping operation; and

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wherein when retracted into the sheath the legs are substantially parallel to each other and define a tubular shape having a circular exterior cross-section defined by the convex surfaces of the legs and a circular opening defined by the concave surfaces of the legs and within which a portion of the cable is accommodated.

Claim 12 (Original): The surgical extraction device according to claim 11, wherein as a result of their cross-sectional shape the legs automatically deploy radially outward and away from each other when deployed outside the sheath with the actuating means without the assistance of a second component to engage and force the legs away from each other.

Claim 13 (Previously presented): The surgical extraction device according to claim 11, wherein at least a portion of each of the lateral surfaces is flat and lies in the radials of the curvatures of the concave and convex surfaces.

Claim 14 (Canceled)

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Claim 15 (Original): The surgical extraction device according to claim 11, wherein the legs have a longitudinal shape so that the expanded basket is helical in shape.

Claim 16 (Original): The surgical extraction device according to claim 11, wherein the device is a urological instrument.

Claim 17 (Original): The surgical extraction device according to claim 11, wherein the device is a gynecological instrument.

Claim 18 (Original): The surgical extraction device according to claim 11, wherein the device is a cardiological instrument.

Claim 19 (Original): The surgical extraction device according to claim 11, wherein the device is a laparoscopical instrument.

Claim 20 (Original): The surgical extraction device according to claim 11, wherein the device is a gastro-intestinal instrument.